

**MINUTES
BOARD OF SELECTMEN
MONDAY, SEPTEMBER 11, 2006
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
7:00 PM**

Call to Order

A regular meeting of the Board was called to order in open session at 7:00 PM in the Selectmen's Meeting Room at Town Hall. All members were present. Assistant Town Administrator Jeff Conti was also present. Town Administrator Tom Younger was absent due to an out-of-state conference.

Questions from Town Residents

There were no questions.

Action by Appointment

Chairman Solomon observed the memory of three Belmont residents who lost their lives five years ago on this date in the September 11 attacks: Paul Friedman, Ted Hennessey, and Carlos Montoya. He then led those present in a moment of silence.

ICLEI Plaque presentation

Deb Lockett and John McAlpin from Sustainable Belmont appeared before the Board. They presented the Board with a plaque from the International Council of Local Environmental Initiatives (ICLEI) in recognition of Belmont's work with that group on sustainable development. In April, Belmont became the 23rd town in Massachusetts to join the group.

Action by Consent

Approval of Board of Selectmen's Meeting Minutes (07/31/06; 08/07/06)

The Board made two minor changes to the July 31, 2006 minutes.

The Board moved: to approve both sets of minutes as amended.

The motion was carried unanimously (3-0).

Action by Writing

Approval of Legal Counsel Contracts for FY07

There are five special counsel contracts and one contract for Town Counsel to be signed.

The Board moved: to sign all six contracts for legal services in Fiscal Year 2007.

The motion was carried unanimously (3-0).

Action by Appointment

Discussion of Harvard Lawn Fire station RFP-Historic District Commission

Lisa Harrington and Lydia Ogilby from the Historic District Commission (HDC), and Harvard Lawn Fire Station Re-Use Committee Chair Andy Rojas appeared before the Board to discuss the RFP for the fire station. Ms. Harrington expressed the desire of the HDC that the RFP include language requiring that the original 1928 façade of the building be preserved, as was done with the other two fire stations.

Mr. Rojas clarified that while the draft RFP does not contain such a requirement, it is the preference of everyone that the façade be preserved. The Committee expects that this is likely, because even if the building were removed, the zoning of the lot would only allow for one two-family house, making such demolition uneconomical. The RFP also contains a design review component which will allow the Committee to prevent a developer from putting up something that would be an eyesore. Neighbors have expressed their preference for re-use of the existing building.

Selectman Firenze noted that the tax credit available for historic preservation will also contribute to make preserving the façade the most economically advantageous choice.

There was discussion of the language of the RFP. At Selectman Brownsberger's suggestion, the Board made two minor wording changes to the Request For Proposals document.

The Board moved: to approve the RFP as amended.

The motion was carried unanimously (3-0).

It was noted that most of the members of the Re-Use Committee live in the neighborhood of the fire station and would not be inclined to approve a proposal that was not in keeping with the character of the neighborhood.

There was discussion of concerns that the Planning and Zoning Boards have about the number of parking spaces proposed at the new Senior Center. The concern is that if the building will be used for other purposes after hours, the amount of parking in the current design may not be sufficient.

The Board confirmed that it is the sense of the Board that the building will be used for after hours functions and asked Mr. Conti to send a note to the Senior Center Building Committee, Planning Board, and Zoning Board to that effect.

Cable Television Advisory Committee - VERIZON UPDATE

Members of the Cable Television Advisory Committee appeared before the Board along with special counsel Peter Epstein. Chair PersonNameJonathan Green explained that the Committee has been negotiating with Verizon for about 18 months on a contract to provide cable TV service in Belmont. A draft contract has been worked out with only a few small points left to be resolved which hopefully will be wrapped up within the next two weeks. The Committee is asking the Selectmen to schedule a public hearing on the Verizon license as required by law, preferably on September 28.

Mr. Green explained that the Town's current contract with Comcast contains a "level playing field" clause such that if we were to offer Verizon terms that were perceived as more favorable, Comcast could sue. Therefore the Committee has asked Verizon to make a similar contribution to the public access fund and to "build-out" service to all areas of town as quickly as possible.

It was noted that the Comcast franchise does not include a senior citizen discount (a side agreement was reached to provide this) and therefore the Verizon license will not require this either. However, competition for business may encourage Verizon to implement their own discount.

Selectmen Firenze showed a flyer that was sent out by Verizon to Belmont residents and said this was a propaganda tactic to encourage townspeople to put pressure on the Board to conclude an agreement with Verizon, which he did not appreciate and which was unnecessary. Attorney Epstein said the Town has worked very hard to reach an agreement with Verizon and has never opposed the creation of a competitive cable environment.

It was agreed that if the details of the contract have all been resolved and no concerns arise at the hearing, it will be the intention of the Board to sign the contract at the conclusion of the hearing. Otherwise, the Board will not be able to sign it until October 17.

Mr. Green asked Verizon's Vice President of External Marketing, who was in the audience, how long would it take after the contract is signed before Verizon could begin providing service. The answer was within one month from the signing.

The Board moved: to hold a public hearing on the proposed Verizon cable television license on Thursday, September 28, at 7:30 AM in the Selectmen's Meeting Room.

The motion was carried unanimously (3-0).

Parking update – Assistant Town Administrator Conti

Mr. Conti updated the Board on the parking issues being worked on by the informal parking group consisting of himself, Community Development Director Glenn Clancy, Treasurer/Parking Clerk Floyd Carman, and Police Traffic Division Sergeant Ken Hamilton.

He began with a proposal for a parking permit program that would create exemptions from the Town's overnight parking ban for residents who do not have any off-street parking. Concerns about such a program include the "slippery slope" factor, in which more and more residents will request to be eligible for the program; the cost of administering the program in time and manpower that could be used for other public safety functions; the problem of where to put the cars during a snow emergency; and the lack of accurate information about how many properties in Town lack driveways. Mr. Conti recommended that no final determination about a permit program be made until such a count is completed. The Selectmen asked the parking group to come up with a figure for how many properties in town have fewer off-street parking spaces than are required under zoning, and how many any off-street parking altogether.

Resident Kerry Sullivan presented a proposal for a similar permit program in which applicants would pay a \$300-\$500 fee for a permit. The Selectmen noted that at these rates, neighbors would be likely to offer their extra off-street parking for rent, especially seniors who may not have vehicles. Selectman Firenze also suggested that the Town look at whether small town-owned parcels could be converted for parking use.

Mr. Conti reviewed parking issues on Sherman Street across from the Winn Brook School. The parking group is proposing to limit parking across from the school during student pick-up and drop-off hours only (this has already been implemented), and to move a stretch of the fence along the nearby recreation field inward by about five feet. This would mean that cars already parked on the shoulder along the fence would be further out of the roadway. The changes are designed to enhance pedestrian and vehicle safety and allow access by emergency vehicles.

The group is also looking at the concerns of Sycamore Street residents about business employees parking on their street seven days a week at virtually all hours. The group intends to meet with the owners and ask that employees park in the Waverley Square and Butler School lots evenings and weekends. It is proposed to open up the north side of Thayer Road for all-day parking after 10 AM and encourage business employees to park there instead of on Sycamore. Also, one stretch of Sycamore would have no parking from 8-10 AM to discourage commuters from parking there all day. Mr. Conti said because of the severity of the problem, if the businesses are not willing to co-operate, the group will have no choice but to recommend that Sycamore Street be restricted to resident parking only.

Finally, he touched on concerns about parking limits in Belmont Center and particularly by Channing Road residents wondering why other streets have two-hour parking and they do not. The group felt that parking in the center is a large issue and falls under the Belmont Center Planning Group's mandate, but that the parking group could try to look simply at the issue of equitability in having uniform regulations for residential streets that are the same distance from the business district.

Action by Writing

Approval of DEP Climate Protection Grant Letter

The Board discussed a letter drafted by ICLEI encouraging the state Secretary of Environmental Affairs to allocate more money to the Climate Protection Grant Program. Selectman Firenze expressed concern that the wording of the letter was unclear and did not want to seem to be asking for more money to be appropriated by the Legislature at the expense of something else.

The Board moved: to instruct Mr. Conti to revise the letter to address Selectman Firenze's concerns, and to authorize Chairman Solomon to sign the revised letter on behalf of the Board.

The motion was carried unanimously (3-0).

Approval of Purchase and Sale Agreement for Waverley Woods Housing Project

The Board moved: to approve the signing of the agreement.

The motion was carried unanimously (3-0).

Other

The Board discussed the concern of a resident at having to provide her Social Security number on a form in order to receive a reimbursement from the Town. Mr. Conti has spoken with the resident and explained that the Town is following the law and protecting itself against any potential IRS audit. He will follow up with the resident after clarifying the Town's legal obligations with Town Counsel.

The Board discussed a miscommunication with Macy's that led to two of the Selectmen arriving too late for the ribbon-cutting on Leonard Street. Chairman Solomon will speak with Macy's personnel to express the Board's regret at missing the ceremony and that the Town is very happy that Macy's has come to Belmont.

The Board discussed the timeline for the signing of the purchase and sale agreement for the Central Fire Station with Burke and Company. Originally, Burke was supposed to sign the agreement by today (Monday, September 11) but because of a delay by Town Counsel in furnishing Burke with information, the Board has agreed to give Burke until

September 18 to sign the agreement. If the deadline is not met, the Board would instead begin negotiating with the second bidder, Urbanica. Mr. Conti will send copies of the draft agreement to the Selectmen as soon as possible.

The Board moved: to extend the September 11 deadline for Burke and Company to sign the purchase and sale agreement for the Central Fire Station by one week to Monday, September 18.

The motion was carried unanimously (3-0).

The Board indicated it intends to discuss Winn Brook sewer problems on September 18th with Mr. Clancy, Sewer & Stormwater Committee Chair Ralph Jones, and consultant FST.

The Board discussed whether or not to use some or all of the \$148,387 in one-time Chapter 90 funds from the state for sidewalk repair.

The Board moved: to support the allocation of the full amount of one-time Chapter 90 funds for sidewalk repair.

The motion was carried unanimously (3-0). The Capital Budget Committee and Warrant Committee will be asked to place this on their agendas in anticipation of an article being placed on the Warrant for a fall Town meeting on November 13.

The Board expects to vote on Sep. 18 whether or not to sign the Land Transfer Agreement with the Belmont Country Club for Woodfall Road.

The Board discussed the status of a small piece of land on Sherman Street over the Winn Brook culvert. It is not clear whether the Town owns this land or merely has an easement. The abutters are interested in purchasing the land. Assessing Administrator Dick Simmons is looking into the legal status of the land and Mr. Conti will follow up with him on this.

The Board indicated it will discuss committee appointments to the Information Technology Advisory Committee and Disability Access Committee on September 18, and asked that the chairs of those committees be contacted and asked for recommendations.

The Board discussed an interim report from the Security Committee recommending that approximately \$10,000 be spent on a comprehensive security assessment and recommendation from a security consultant. The Board asked what the proposed funding mechanism for this would be. Mr. Conti will follow up.
The Board asked Mr. Conti to check whether a response was sent to a resident who wrote a letter about signage in Town.

Selectman Firenze reported that he has met with the chairs of the Capital Budget and Warrant Committees and suggested a list of people to serve on a subcommittee to look at the question of “core services” as recommended at the last meeting of the Structural Group. He will report on this when the group meets next on September 20.

Selectman Firenze reported to the Board on a discussion he had in his capacity as a private citizen with Tom Finneran from the Massachusetts Biotechnology Council about the attractiveness of the Uplands site for a biotech office building. Selectman Brownsberger indicated his preference for the site would be for the state to append it to the Alewife Reservation. Selectman Firenze agreed but felt it is important to pursue other options because that may not prove to be possible.

The Board adjourned at 10:53 PM.

Thomas G. Younger
Town Administrator